

# The English Corresponding Societies, 1789-1799

by Agnes Emma Graham

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THE ENGLISH CORRESPONDING SOCIETIES

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A THESIS FOR THE DEGREE OF  
MASTER OF ARTS

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## THE CORRESPONDING SOCIETIES.- ORIGIN OF.

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Cooperation in some form whether for a material object or for the inner improvement of the individual himself dates from the earliest times and is met with in all parts of the world. Even in Greece and Rome such organizations existed long before the Christian era, after which religious cults became numerous and more active in propagating their doctrines. But the modern club had its origin in the London taverns and coffee houses and took the form of political or literary societies. One of these organized in 1764 has existed to the present time and has numbered among its members many men famous in English literature. This fashion of forming clubs was introduced into France by admirers of English social customs but previous to the Revolution they had been mostly literary.<sup>1</sup> During that time they assumed a type of their own and their claims to a part in legislative matters, their extent and modes of correspondence in turn found imitators

1. Morse Stephen's Fr. Rev. 1: 111.

among the English.<sup>1</sup> The earliest and most influential of these was the Jacobins which grew out of the Club Breton or organized in Versailles in May 1789, by representatives from Brittany to the States General. Originally it consisted of about seventy-five members, two-thirds of whom belonged to the Third Estate and the remainder to the clergy<sup>2</sup>. Prominent among these were Mirabeau, Sieyes, Robespierre and Petions. They met frequently to discuss action which was to be taken in the National Assembly and undoubtedly the measures which they considered in these sessions are the ones which have become familiar to students of the French Revolution. When the Assembly removed to Paris, for a time their meetings were suspended and when they next appeared the name had become the "Society of the Friends of the Revolution" and their meetings were held in the Jacobin convent, whence arose at first in derision, the name by which they became known, and which for a time inspired so much terror.

In carrying out their idea of making this club a nucleus for others, affiliated societies sprang up in many towns and by May 1791 there were more than four hundred such bodies which gave the Jacobins a genuine political machine. The many events which had been taking place in

1. Adolphus V. 67

2.

France during the year 1789 had not passed unnoticed across the Channel and not a few men prominent in English politics as well as the common people were watching with absorbing interest to see what would be the result. Among them was Dr. Richard Price,<sup>a</sup> Presbyterian divine, who in 1776 had published a pamphlet entitled "Observations on Civil Liberty and the Justice and policy of the War with America". Because of the criticisms<sup>1</sup> this made by such men as the Archbishop of York, John Wesley and Edmund Burke, the sale was rapid and the author soon became one of the best known men in England. Other writings followed both on politics and finance, and finally on Nov. 4, 1789, the day on which a political club known as the "Society for Commemorating the Revolution in Great Britain," met for its annual celebration, <sup>2</sup> he preached a sermon to his congregation in the Old Jewish meeting house "On the Love of our Country". This called forth still further criticism which culminated in Burke's Reflections on the French Revolution. In the course of his talk he remarked that ~~he~~ now he could almost say the "Nunc Dimittis" for having shared in the benefits of one revolution he had lived to see two, both glorious.

While his general observations are open to criticism they would probably have been passed without notice had he not assumed that the Revolution of 1688 gave

1. Dict. Nat'l Biog. 46: 334-335

2. Dict. Nat'l Biog. 46: 335



the people the right to choose their own gavernors, cashier<sup>1</sup> them for misconduct and frame their own government.

But this was not all, later in the day at a meeting of the Society in London Tavern over which Lord Stanhope presided, on the motion of Dr. Price, an address of congratulation was sent to the National Assembly. This was the beginning of a correspondence, for the Assembly acknowledged the address by a vote of thanks signed by the Archbishop of Aix and the Duke de la Rouchefoucault wrote to Dr. Price styling him the "great apostle of liberty". The Patriotic Club Dijon, the Patriotic Union of Lisle and M. Badouin a supplementary deputy of the Assembly ~~by~~ all sent addresses to the Society.<sup>2</sup>

This same body the next year celebrated the 14th day of July in commemoration of the Fall of the Bastile and was the occasion of another speech by Dr. Price<sup>3</sup> and more congratulations followed and the prediction was made that possibly by another year there would be a joint celebration of the French and English in the Champ de Mars. In a short time this Revolution Society was in correspondence with twenty-five societies in France beside the Commune of Paris and with societies which had been organized in England at Cambridge, Manchester, Norwich and Taunton.<sup>4</sup>

1. Adolphus' History, 46: 544.
2. Adolphus 1V: 545
3. Lecky V: 450.
4. Adolphus V 212

The French societies granted honors of affiliation to their brothers in London who in turn received with flattering attentions two delegates from the society in Nantes<sup>1</sup> (May 1790).

The occasion of Dr. Price's funeral in April 1791 was used by his friend, Dr. Priestley, a scientist and theologian of the Unitarian Society, for holding up the American and French republics as models for imitation.<sup>2</sup> The people in general were not pleased with the attack on their institutions but it seems that he found some followers for in June of this same year he is said to have taken a part in forming the Birmingham Constitution Society which in connection with others met on the 14th of July;<sup>3</sup> a meeting which Dr. Priestley did not attend as he had been warned by a friend that a mob had determined to break up the gathering. However he did not escape their vengeance as his house was attacked and many valuable Mss. representing the toil of years were destroyed.

In the preceeding year a Manchester merchant, Thomas Walker,, head of the Whig party in his town, and borough reeve founded the Constitutional Society in that place<sup>4</sup> and early in the next year another branch was organized at Norwich.

1. Adolphus v. 212
2. Massey 3: 267
3. Dict. Natl. Biog. 46: 307
4. " " " 59: 86

These grew out of a society organized in 1780 for Constitutional Information, whose membership included for a few years such well known men as Fox, Pitt, Sheridan, the Duke of Richmond, and such lesser lights as Frost, Cartwright, Wyvill, Horne, Tooke and John Walker<sup>1</sup>, who were associated for constitutional reforms. The organization was supported by a membership fee of a guinea and an annual subscription of not more than five guineas. As the leaders acquired experience and changed their political tenets they withdrew and left the society in the hands of those last mentioned, but until the breaking out of the Revolution the members were few and the revenue small. Then as various branches took up the work of spreading Paine's "Rights of Man" and other writings of a similar character the numbers and interest began to increase and one of the early members, John Frost, in 1792 secretly sheltered in his house a number of French<sup>2</sup> political prisoners and the same year took a leading part in forming the Corresponding Society for which he acted as secretary. This body at once began an active campaign for Parliamentary reform and Frost and Hardy prepared a manifesto, showing that 257 representatives, a majority of the House of Commons, were elected by voters not exceeding a thousandth part of the nation. The next year Frost was elected by the Constitutional Society as a deputy to the Convention in France

1. Adolphus, V. 212.

2. Dict. Natl. Biog. 20: 287.

with Joel Barlow<sup>1</sup> as his colleague, and being there at the time of the trial of the king was denounced by Burke as an ambassador to murderers.

The London branch of the Corresponding Society organized as late as January '93<sup>2</sup>, and composed of the least estimable and most violent members from other societies made a pretence of Parliamentary reform and inveighed against the qualification of 40s. a year for county voters £600 for a county member and the triennial and septennial Acts. An address to the nation was published, showing the advantages which would follow from a reformed Parliament. Its aim was to spread opinions by communications with affiliated bodies throughout the country and for this purpose a fee of a penny a week from each member or a shilling and a penny a quarter was imposed to pay for postage, stationery and printing.<sup>3</sup>

In the metropolis the meetings were held in about 30 public houses in obscure streets and they corresponded with as many societies in England and Scotland.<sup>4</sup> As their resources were limited it is supposed that they were aided by funds from France and the authentic information as to their proceedings points to treachery among their members.

Such were the societies which from 1794-99 caused

1. Dict. Natl. Biog. 20: 287
2. Adolphus V. 214
3. Adolphus V. 214-216
4. Ann. Reg. 1792. p. 11. p. 152.

so much debate in Parliament and against which so many Acts were passed until their repression in the latter year.

To show what measures the societies adopted, how they appeared to the government and the means resorted to in putting them down is the province of this paper.

## CHAPTER 11.

### ATTITUDE OF FOX, PITT AND BURKE.

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Of all the familiar names in the history of these ten years none are better known than those of Fox, Pitt and Burke, all of whom at an earlier period were interested in the very measures which at this time the last two mentioned condemned and sought by all the means in their power to suppress. Since it was Dr. Price's sermon which gave rise to so much criticism and brought Burke so prominently before the people one naturally asks what were the sentiments which produced the work to which reference has been made.

Aside from what has been already mentioned as to the rights conferred by the Revolution the peroration tended most to arouse the people by its stirring sentences, for he said: "I have lived to see thirty millions of people spurning at slavery and demanding liberty with an irresistible voice, their King led in triumph, an arbitrary monarch surrendering himself to his subjects. I see the ardor of liberty catching and spreading, the dominion of kings changed for the dominion of law; the dominion of priests giving way to the dominion of reason and conscience. Be encouraged all ye friends of freedom, and writers in its



defence". The times are auspicious - Behold the light you have struck out after setting America free, reflected to France, and there kindled into a blaze which lays despotism in ashes, and warms and illuminates Europe. Tremble, all ye oppressors of the world! Call no more reformation, innovation. Restore to mankind their rights, consent to the correction of abuses before they and you are destroyed together."<sup>1</sup>

Was it any wonder that Burke who was always opposed to Parliamentary reform, who was a friend of monarchy, an admirer of aristocracy, a firm believer in precedent, should now appear upon the scene with a denunciation of the Revolution and its advocates and a eulogy of the French monarchy, failing to recognize the abuses of the people and dwelling on the sufferings of the few rather than the freedom of the many. For such were his views expressed in his "Reflections on the French Revolution," which appeared in November 1790, and was gladly received and warmly applauded not only by the aristocracy of England but also by the sovereigns of the continental countries. Up to this time the scenes of the Revolution were not considered as having any bearing on England's future,,but Burke attempted to show that the occurrences in France were not confined to that country and that the foundations upon which

1. Adolphus IV. 544-545.

society rested were threatened.<sup>1</sup>

The book had a wide circulation and served to increase the fears of the governing classes and by its dividing the Englishmen into two parties did much toward ruining the Whigs.<sup>2</sup>

The friends of the Revolution could not suffer such an attack to pass in silence and in a few months Mackintosh's "Vindiciae Gallicae" appeared setting forth the necessity of eradicating abuses bound up in the national organization and recognizing the Revolution as the work of a nation, many of whose reforms instituted by their Assembly were beneficial.<sup>3</sup> What he failed to see was that the work of reform would be finally terminated in the struggle for sovereignty.

As he had spoken for the educated middle classes, Thomas Paine, a less able writer, through his "Rights of Man" made a plea for those whom Burke called "the swinish multitude". His tract which from a literary standpoint was full of errors, and was not widely read by the educated, was so eagerly seized upon and distributed by the members of the Corresponding Societies, who approved its sentiments, that the fears of the upper classes were still farther increased. For the natural and civil rights of

1. Camb. Mod. Hist. 8: 757

2. Dict. Natl. Biog. 8: 358

3. Mackintosh's "Vindiciae Gallicae." 24.

man were set forth, the nobility ridiculed and the doctrine advocated that the rights of monarchy are not hereditary and that the people may overthrow the existing governments at pleasure.<sup>1</sup>

Nor was Burke criticized alone by men representing the middle and lower classes for a member of his own party and one who had been his friend for years, Charles James Fox, had not been slow in expressing his admiration of the Revolutionists. From the time when he exclaimed on hearing of the Fall of the Bastille, that it was the greatest event that had happened in the history of the world,<sup>2</sup> until he had to admit in 1793 that war was ~~inadvisable~~ <sup>unavoidable</sup>, he was a staunch supporter of the reforms made and though he disapproved of the excesses he believed that through innovation would come perfection.<sup>3</sup>

While these two statesmen represented the extremes of Conservatism and Liberalism, Pitt the Prime Minister, as head of the Government, though he at first sympathized with the Revolution, felt the necessity of maintaining a strictly neutral policy. He would have nothing to do with the coalition, the plots of the emigres or the conference of Pilnitz,<sup>4</sup> saw no reason why after

1. Conway Writings of Paine ll. 307

2. Adolphus lV/ 466

3. Lecky, V, 453

4. Stanhope's Life of Pitt ll. 136

revolutionary changes Britain should not return the friendship of France, and after Burke's "Reflections" appeared assured her that he would not depart from his policy unless her conduct made war indispensable as an act of self defence.<sup>1</sup> He had no little difficulty in maintaining this course in the face of the fears aroused by the eloquence of Burke and the activity of the Corresponding Societies which were daily increasing in numbers and as a well known writer says were "exchanging the hug of fraternity with the lunatics of France".<sup>2</sup>

1. Stanhope's Life of Pitt 11. 70.
2. Smith's "United Kingdom" 2: 261.

CHAPTER 111.

ATTITUDE AND ACTION OF THE GOVERNMENT IN 1792.

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Yet in spite of the apprehensions aroused as to the result of the activity of the Corresponding Societies in spreading revolutionary doctrines many level headed statesmen felt that there was no real danger which could not be met by moderate reform and so in April 1792 the Society of Friends of the People through Grey, one of their most prominent members, gave notice of a motion for general reform in representation.<sup>1</sup>

As Pitt for two reasons refused to support this measure, the first being a doubt of its carrying and the second, the difficulty of putting it into execution in case it did pass the bill was dropped for the time being.<sup>2</sup>

While those who were anxious to bring about a reform by Parliamentary action were considering the situation Paine had published the second part of his "Rights of Man which combined "Principle and Practice" and in which he made it appear that existing orders should be abolished

1. Parliamentary History, 29: 1300.
2. Parliamentary History, 29: 1302-1312.

for the good of the community. He proposed to publish a cheap edition which should sell for three pence and for this he was applauded by the Society for Constitutional Information in a resolution passed May 18, 1792. Three thousand copies of this resolution together with Paine's letter were then ordered to be published for the use of the societies.<sup>1</sup>

At this time, though the membership in these various organizations was comparatively small and their means limited yet because of their zeal in distributing papers and pamphlets the government decided that measures must be taken at once against them, and accordingly on May 21st the king issued a proclamation stating that wicked and seditious writings had been printed and dispersed which tended to excite tumult and disorder by raising discontent in regard to the laws and constitution of the government established in the kingdom. Also that correspondence had been entered into with people in foreign parts with a view to forwarding criminal purposes.<sup>2</sup> Such being the case the people were warned against the publications, the magistrates commanded to discover the authors, printers and publishers and the sheriffs to prevent disorders.

In spite of the opposition by Fox, Grey and their friends the House approved the measure and an address

1. Parl. Hist. 31: 476

2. Parl. Hist. 29: 1476-77



was moved thanking the king for his proclamation. Many leaders of the Whigs, the Duke of Portland, Windham, Grenville and others ~~advocated~~ this measure and after this time we find them supporting the Conservative party. This date also marks the beginning of the trouble with Chauvelin, the French minister, who with Talleyrand, his secretary, was at this time in England. Regardless of what was due to his position he drew up a protest against the Proclamation and demanded that it should be laid before Parliament, an act for which he was deservedly rebuked by Grenville, the foreign minister.<sup>1</sup>

Throughout the remainder of the year the disturbances in France, notably the insurrection of August 10th, the massacres of September, and the retreat of the allies, seemed to be reflected in minor disturbances in joint England. The Societies sent addresses of sympathy to the National Convention, congratulating them on their form of government and approving of the events of August and September.<sup>2</sup> The Revolution Society in addition sent 1000 pairs of shoes for the army.

In Edinburg in June the House of Dundas, the Attorney General had been attacked and some property destroyed.<sup>2</sup> Riots broke out also in other places, a day appointed in Sheffield for rejoicing for the success of

1. Hammond 259-61

2. ~~Parl. Hist.~~ *Adolphus 5:226*

French arms, a tree of Liberty was planted and a procession passed through the streets headed by an immense picture of Dundas and Burke plunging their daggers into the heart of Liberty. A similar demonstration took place in Dundee where cries of "Liberty", "Equality", "No Excuse", "No King" were heard.<sup>1</sup>

Five men were convicted of a conspiracy for blowing up King's Bench prison and some prisoners in Fleet made the announcement that the place would be for rent after January 1st. For as they said, "the republic of France having rooted out tyranny during the first year of ~~British liberty~~ Bastilles are no longer necessary in Europe"<sup>2</sup>.

For counteracting these measures and for sup-  
pressing sedition a new Association was <sup>now</sup> formed which called itself the "Society for the protection of liberty and property against republicans and levelers". It was supported by subscriptions, collected evidence of seditious designs, anonymous letters, and reports of informers who were rewarded for their activity<sup>3</sup>. It also published and scattered tracts and included in its numbers men of rank and wealth and upright character against whom charges of their enemies had little effect.

By December 1st the government felt it necessary to call out the militia to suppress the spirit of revolt

1. Bright 1164
2. Adolphus V, 227.
3. May 2, 290-91

and Parliament which had been prorogued until January 3rd was summoned to meet December 3rd. The king's speech on this occasion mentioned the designs for the destruction of the constitution and subversion of all order and government. Fox as usual made objections saying that such statements were an "intolerable calumny upon the people of Great Britain", and as for the insurrection on which the militia were called out, he could see no signs of it nor would any one tell him where it was. Although other speakers protested against the extreme views of the state of the country and exhorted the ministers to have confidence in the people yet when the vote came to be taken it stood 290 to 50 in favor of the action of the Government.<sup>1</sup>

After a heated debate Fox's motion that a minister be sent to Paris to treat with the existing government was negatived without a division,<sup>2</sup> but both he and Sheridan seeing at length the trend of affairs in France felt obliged to support the next move of the Government, namely, to increase the number of seamen by nine thousand.<sup>3</sup>

At the same time Lord Grenville introduced the Alien Bill for controlling the movements of foreigners within the kingdom and removing them if necessary from the British Isles. The Marquês of Lansdowne objected to this

1. Parl. Hist. 30: 1-59
2. Parl. Hist. 30: 80-128
3. Massey 3: 295

Bill on the ground that there was not sufficient danger to warrant such a measure, and that it was virtually a suspension of the Habeas Corpus Act which though only meant for foreigners might be extended to Englishmen.<sup>1</sup> Therefore he brought forward an impracticable motion for sending an embassy to France for averting the death of the king and for making some provision for the destitute Royalists in England.<sup>2</sup> After other speeches with many digressions as to civil liberty the Alien Bill was finally passed Jan. 4, 1793 and is especially important as being the first of a series of measures which in a short time led up to the Act for suspending the Writ of Habeas Corpus.

Consequent upon this Act, Chauvelin, who had been permitted to remain in London so long, was ordered to leave the country and as the result of his reports to the Convention France demanded the repeal of the Alien Act, also of the one which had been passed a short time before forbidding the exportation of grain to France. She further required an explanation of the recent armament and intimated that if her demands were not met war would be declared.<sup>3</sup> England's only reply was to put at once (January 28) her military and naval establishments on a war footing and after a three day's debate on the King's message, sent down at that time, war was declared February

1. Parl. Hist. 30: 159

2. Parl. Hist. 30: 147

3. Massey 3: 300

1, 1793.

While the debate on the Alien Bill was in progress in Parliament the attention of the Court of the King's Bench in Guildball was engaged with the first trial under Fox's Libel Bill passed during the previous year (June 1, 1792)<sup>1</sup>. By this Bill the right of the jury was established to decide the guilt or innocence of a publication as well as its authorship.<sup>2</sup> Though Thomas Paine had been summoned on May 21st of this year and had appeared for trial for the publication of the Second Part of his "Rights of Man" on June 8th, his trial, for some reason was postponed until December. In the meantime he had continued his writings and on September 12th had delivered a speech at a meeting of the "Friends of the People" for which he was ordered to be arrested. Being warned of his danger he escaped to France, was elected a member of the National Convention and from Paris, at this time, wrote to the Attorney General, saying that important business kept him from being present at the trial, but that he cared nothing about the result for they might as well obtain a verdict against the man in the moon as against him<sup>3</sup>. His absence, however, did not prevent the trial's taking place which was provided for from the funds of the Constitutional Society, the defense being conducted by Erskine. Though

1. Parl. Hist. 29: 1537

2. 32 Geo. III c. 60

3. Conway. Writings of Thos. Paine (1791-1804) 110-111

he did all that he could for his client, attempting to prove the letter a forgery, and stating that in accordance with English law a writer may address the reason of a nation on the constitution and government and is criminal only if he attempts to make them disobey law yet without waiting for the judge to sum up the case the jury brought in a verdict of guilty. Paine was declared an outlaw and his book and effigy were burned in many parts of the country.<sup>1</sup> The answer to the question which naturally arises as to why Paine was not prosecuted for the first part of the book, was given at the trial, namely, that only the judicious reader was able to get hold of the first publication, while the second part was even used to wrap up children's sweetmeats, and thus came into the hands of the lowest classes.<sup>2</sup>

The societies resented the verdict as unwarranted by the law and the constitution and though no other notable cases followed at once yet after war had been declared the Government feeling that its success depended largely on internal peace continued the prosecutions under the Libel Act.

1. Adolphus. 5: 225

2. Diet. Nat'l Biog. 43: 76.



#### CHAPTER IV.

### *Attempts to Suppress Seditious Speaking & Writing.*

But before such steps were taken, as early as February 1793, Sheridan, who was a warm friend of the people and felt that the danger, which the government feared, did not exist introduced a motion for an inquiry into the seditious practices and insurrections referred to in the King's Speech at the opening of Parliament. A heated Debate followed in which those who favored the motion accused the ministry of exciting the alarm in order to get rid of a reform in Parliament and to reconcile the people to the war with France, while the opposition though giving no definite proof of sedition held that the state of the country was such as to make insurrection possible. When the vote was taken the motion was negatived without a division.<sup>1</sup>

Not many days after this matter had been settled the Attorney General, prompted by Lord Loughborough, the Chancellor, brought in a Bill for preventing Traitorous Correspondence. This declared guilty of high treason,<sup>1</sup> all who supplied arms, naval stores, provisions, or clothing to the enemy, and<sup>2</sup> all who purchased lands in France.<sup>3</sup>

<sup>1</sup>

1. Parl. Hist. 30: 523-556

2. Parl. Hist. 30: 581-647.

3. Parl. Hist. 30: 647

It prohibited all intercourse with France without special license under the Great Seal, and forbade also the insurance of French vessels by English merchants.

The Bill was opposed in every stage of its progress, but being amended finally passed the House of Commons by a vote of 154 to 53, and the Lords with only 7 votes against it. Already the Government had begun prosecutions against the publishers and sellers of seditious writings, principally the Second Part of Paine's "Rights of Man", his "Address to Addressers", and a pamphlet known as the "Jockey Club". In most cases fines and imprisonments followed differing according to the extent of the guilt, A well known book-seller, Ridgway who had published all three of these works was sentenced to four years imprisonment and fines amounting to £ 200.<sup>1</sup>

Another printer, Daniel Holt, having published Paine's address and a pamphlet of his own on Parliamentary Reform received a like sentence with serious result, for the fines ruined his circumstances and in a short time he died from the effects of his imprisonment. Nor was seditious speaking less vigilantly repressed as one readily sees from the records of the state trials.

John Frost, an Attorney, reputable or otherwise, according to the historian, having said in a coffee house (November 6, 1792) "I am for equality, I see no reason

why any man should not be on a footing with another" and  
1. May 2. 289.  
Adolphus I 528

explained that by equality he meant "no king", was brought to trial in May 1793 and sentenced to Newgate for six months, to stand in the pillory for one hour during that time, give surety for good behavior for five years and have his name struck from the roll of attorneys.<sup>1</sup> When his imprisonment was ended the people expressed their joy at his release by taking the horses from the carriage and escorting <sup>him</sup> home in triumph.

Another case was that of a Baptist minister Winterbatham, who was tried for seditious words in two sermons, in the first of which he had expressed such revolutionary sentiments as "I highly approve of the Revolution in France and I do not doubt that it has opened the eyes of the people of England. You fancy you live under a mild government and good laws but it is no such thing". We have as much right to stand up for our liberty as they did in France". In the second case the evidence was so weak that the judge ordered an acquittal yet in both cases the jury brought in a verdict of guilty and sentenced the prisoner for four years and the payment of £200 fines.<sup>2</sup>

But the trials in Scotland excited more interest and were more unjust even than those in England and particularly that of Thomas Muir a brilliant young lawyer who

1. State Trials 22: 471-522
2. St. Trials 22: 823

had helped form in Glasgow the Society of the Friends of the People and at a meeting in 1792 ~~he~~ read an address from the United Irishmen. In January 1793 he was arrested on charge of sedition but was let out on bail and finding himself shunned by his fellow lawyers decided to go to France. On the way he was entertained by the London Society and was asked to remonstrate against the death of Louis XVI. but arrived only the day before the execution. Although he had been declared an outlaw by the authorities in Edinburgh he returned, was arrested and tried before the high court of Justiciary. The accusations brought against him were exciting disloyalty and disaffection, recommending "Paine's Rights of Man", distributing seditious writings and reading about a seditious writing. Not willing to leave his case to Erskine who would gladly have attempted<sup>d</sup> it, he eloquently defended himself, saying in conclusion: "What then has been my crime? having dared to be a strenuous advocate for equal representation of the people in the House of the people, having dared to accomplish by legal means a measure which I conscientiously think will diminish the weight of their taxation? From my infancy I have been devoted to the cause of the people. If I am found guilty say that you condemn me for my attachment to this cause and not for the pretexts stated in the indictment. I may be doomed to languish in the recesses of a dungeon, I may be doomed to ascend the scaffold, but nothing can deprive me of the

recollection of the past - nothing can destroy my peace of mind arising from the consciousness of having done my duty". The result of the trial was clear since of the fifteen jurors five were objected to<sup>as</sup> having prejudged the case since they belonged to Goldsmith's Hall Association which had offered a reward for the discovery of persons circulating Paine's works; one also was a Government official.<sup>1</sup> The Lord Justice Clerk in summing up made some observations on the parties who attempted to reform Parliament. The jury unanimously agreed on the verdict of guilty and sentenced Muir to 14 years transportation, taking great credit to themselves for not having him hung or exposed to wild beasts according to Roman law which they held to be the English Common Law.<sup>2</sup>

A similar case was that of the Rev. T. Fysche Palmer tried about this time for circulating an address from a Society of the Friends of Liberty to their fellow citizens, the object being to reform the House of Commons. He also was sentenced to seven years transportation.<sup>3</sup>

For some time the various societies had contemplated holding a general convention for the purpose of obtaining Parliamentary reform, but it fell to the lot of the Secretary of the convention of the "Friends of the People" in Edinburg to take the initiative. He sent a

1. J. G. Alger in Diet. Nat'l. Biog. *St. Trials* 23: 118-238
2. Campbell's Lives of Lord Chancellors 6: 263.
3. St. Trials 23: 237.

letter to the Secretary of the Corresponding Society requesting that delegates be sent from the different societies to Edinburg. On the 28th two were chosen by the London Society and instructed to bring forward and support any constitutional measures for procuring real representation of the Commons of Great Britain in Parliament, and were advised to keep in mind the principles of general suffrage, annual representation and reasonable compensation for representatives.<sup>1</sup>

The Government resolved to put down this convention feeling that its proceedings were daily becoming more and more revolutionary in their tendencies<sup>2</sup> for they had adopted in imitation of the French the title of "Citizen", divided themselves into sections from which reports were received headed "LibertyCourt", "Liberty Stairs", "First year of the British Convention one and indivisible", and some also had "vive la convention" prefixed to them.<sup>3</sup> Margaret and Gerald, delegates from the London Corresponding Society were seized with all their papers on December 5th and brought to trial early in the following year on the charge of seditious speeches and other proceedings in the convention<sup>4</sup> and with William Skirving, the Secretary of the Convention who had pub-

1. Parl. Hist. 31: 478

2. ~~xInxStxxTrialsx23x603xquotedxfromxGazettxxNxx60xx~~

3. May 2: 297

33. St. Trials 23: 815

4. St. Trials 23: 603, 805.



lished an address for which Palmer had been tried were all sentenced to fourteen years transportation to Botany Bay<sup>1</sup>.

While such proceedings were in progress in Edinburgh the London Corresponding Society in a general meeting at Globe Tavern, January 20th, had agreed upon an address to the people of Great Britain and Ireland in which was set forth the privileges they were supposed to have and did not, and asserted that the only redress for their wrongs was in fair representation. They also resolved that in case any bill was introduced for suspending the Habeas Corpus Act, for preventing meetings of the people in societies for constitutional information, for landing foreign troops in Great Britain and Ireland and for proclaiming Martial law, a call should be issued for a general convention for considering such measures<sup>2</sup>.

January 23rd '94, 100,000 copies of this address were ordered printed and distributed together with the seventeen toasts drank at the anniversary dinner, of which the character ~~are~~ shown by the following. Citizen Thomas Paine - "May his virtue rise superior to ~~galumny~~ and suspicion and his name still be dear to Britons", "Citizens Muir and Palmer - may their sentence be speedily reversed and Botany Bay be peopled with real criminals", "Citizen

1. St. Trials 23: ~~40~~ 391-602

2. Parl. Bist. 31; 481-484

3.



William Skirving charged by the sentence of the court of justiciary with the honor of being the cause of calling the Convention at Edinburgh; "Lord Loughborough, Sir Gilbert Elliott and other apostates from liberty; and may they enjoy the profits of their apostacy as long as they live."<sup>1</sup>

Time fails to speak of the trials in this year ('93-'94) of Hudson, Briellat, Eaton and others, some of whom were acquitted, others fined and sent home, others imprisoned. But the unfairness and severity with which the ones in Scotland were censured<sup>1</sup> were not allowed to pass unnoticed in England for Muir's case was brought before the Lords by Earl Stanhope in the latter part of January, and Palmer's before the Commons by Sheridan<sup>2</sup> and both of them were fully discussed a little later in each House. The sentences were defended by the Lord Advocate, Windham and Pitt, but were warmly centured by Sheridan, Whitbread, Gray and Fox, the last of whom exclaimed: "God help the people who have such judges". Nothing came of the discussions but as Lord Cockburn says: "These trials sank deep, not only into the popular mind but into the minds of all men who thought". It was by these proceedings more than by any other wrong that the spirit of discontent justified itself through the rest of that age.<sup>3</sup>

1. Parl. Hist. 31: 484-485

2. Parl. Hist. 30: 1449

3. Cockburn's Men 102, quoted in May 2: 300

*1. Parl. Hist. 30: 1298*

## THE CORRESPONDING SOCIETIES. 1794.

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Attention was next attracted to the Corresponding Societies because of a large mass meeting held at Chalk Farm, April 14, 1794, at which time some resolutions were passed declaring the proceedings of the British Convention of the people of Edinburgh worthy of praise and that any attempt to violate the laws by vesting in such a judge, such arbitrary power as had been given him in Scotland ought to be considered as dissolving the social compact between the English nation and their governors, and drive them to an appeal to that maxim of eternal justice that the safety of the people is the supreme, and in cases of necessity the only law.<sup>1</sup> They also read a letter addressed to the society of the Friends of the People asking them to send delegates to a convention which was to be held within a short time at some central place in England for the purpose of obtaining, in a legal and constitutional way, a full and effectual representation,<sup>2</sup> and the reply received stating that while the Society was in

1. Trial of Thomas Hardy 2: 378-384

2. Parl. Hist. 31: 489-91

3. Parl. Hist. 31: 491

sympathy with the movement and were alarmed at the state of affairs yet they did not believe that the time was ripe for such action and declined to send delegates.<sup>1</sup>

On the 2nd of May the Constitutional Society held a dinner at the Crown Anchor and became very enthusiastic over the music played - "Ca Ira" and "The Marseilles"<sup>2</sup> - A few days only were allowed to pass before the papers of these two societies were suddenly seized and the most prominent members arrested and consigned to the Tower to await trial for High Treason, and on May 12th the king's message directed that the papers be brought before Parliament, which were referred, on the 15th, to a secret committee of 21 chosen by ballot<sup>3</sup>.

Having read the journals, on the following day, the Committee reported to the Commons that as early as April 15, 1793 a Convention for Parliamentary Reform was under consideration and that a resolution passed by the Society for Constitutional Information stated that the object of such a gathering was to secure themselves from future illegal and scandalous prosecutions, to prevent a repetition of wicked and unjust sentences and recall the wise and wholesome laws which had been wrested from them.<sup>4</sup> The proceedings at Globe Tavern, January 20th, and at the

1. Parl. Hist. 31: 491
2. Lord Eldon 1: 258
3. Parl. Hist. 31: 471

general meeting recently held at Chalk Farm were reviewed together with a bare mention of some points which they had not had time to investigate fully, such as the procuring<sup>1</sup> of arms and subsequent meetings of the societies.

While no one resolution could be really considered as revolutionary and dangerous yet all taken together with their vague threats and impassioned appeals frightened the House and caused some of the members to think that the sedition and treason laws were not adequate under the circumstances. Pitt then rose to the occasion describing in a vivid way the terrible conspiracy which was at work to overthrow the constitution, and showed that the societies had been formed in manufacturing towns because the "ignorant and profligate men" collected in such places would adopt their plans and be ready to rise in insurrection. After reviewing the meeting of April and stating that in times of danger it was usual to enact a temporary suspension of the Habeas Corpus, he moved "That leave be given him to bring in a bill to empower his majesty to secure and detain such persons as his majesty shall suspect are conspiring against his person and government"<sup>2</sup>.

Fox, Sheridan and Grey protested in vain that nothing unconstitutional had been done and that the numbers and means which the societies had at their command

1. Parl. Hist. 31: 496

2. Parl. Hist. 31: 497-505

would render any attempts on their part futile even though they were but trying to carry out the former plans of some well known members of the ministry. Such measures as the one proposed, they argued would but tend to foster conspiracy. Pitt, however was allowed to bring<sup>in</sup> his bill which passed the House at 3:00 A.M. Sunday morning, May 18th by a vote of 146 to 28<sup>1</sup> and the following day together with the reports was laid before the Lords. Stanhope and Lauderdale opposed it to no purpose and on the 22nd it passed with only 7 opposing votes<sup>2</sup>, and having received the King's signature the following day the right of Habeas Corpus was suspended until Feb. 1, 1795.<sup>3</sup>

This Bill having passed Dundas presented a second report of the Committee of Secrecy which explained in detail the aims and objects of the societies, and revealed evidences<sup>4</sup> of the secret gathering of arms. Following the reading, an address to the King was moved, informing him of the examination of the papers and the results, and assuring him of their purpose to defend his rights and the country's welfare.<sup>5</sup> As usual there was more objection in the House, Lambton in particular bringing out the fact that the arms which had been made so much of consisted of eighteen pike heads, ten battle axes and twenty blades unfinished, and that this plan of providing arms had not been

1. Parl. Hist. 31: 573

2. Parl. Hist. 31: 603

3. 34 Geo. 111. c. 54

4. Parl. Hist. 31:687-915

5. 5. Parl. Hist. 31: 911-12

discussed in general meeting but by a few members afterwards.<sup>1</sup> The address was carried and the King expressed his satisfaction with the measures taken. July 11th Parliament was prorogued until August 19th and afterward to December 30th.

During these months some events of importance occurred, one of which "The Pop-gun Plot", particularly exposed the government to ridicule. Several obscure persons were arrested on information given of a conspiracy to assassinate<sup>the</sup> King by means of a poisoned arrow to be discharged through a tube by means of breath.<sup>2</sup> As Crossfield the chief conspirator, was absent from England he was not tried for two years and then acquitted, the others being discharged without proceedings.<sup>3</sup>

The first persons convicted of traitorous designs were Watt and Downie, tried in Scotland for High Treason. Their plans were proved to be really dangerous for the scheme was to have a general convention of England, Ireland and Scotland supported by an armed insurrection in which the troops were to be overpowered, the banks secured, king compelled to dismiss his ministers and dissolve Parliament.

Of the seven persons in the conspiracy, four became witnesses for the Crown, Watt who before this had been

1. Parl. Hist. 31: 920
2. Adolphus 6: 46
3. State Trials 26: 1-224



giving Dundas information of plots which never existed was sentenced and executed while Downie was pardoned on condition of transporting himself for life.<sup>1</sup> This plot was not taken seriously by the public as both leaders and funds were lacking to carry out any such measures.<sup>2</sup> But men of more importance had been for some months in the Tower awaiting trial, namely, Thomas Hardy, Secretary of the Corresponding Society, Adams, Secretary of the Constitutional Society, John Horne Tooke, the opponent of Junius, Jeremiah Joyce, author of "Scientific Dialogues" and tutor of Lord Stanhope's son, Thelwall, a political lecturer and three others.<sup>3</sup> The summer had been spent in preparing for these cases and on September 10th the special commission of oyer and terminer was issued for a Court to try the prisoners. On October 2nd it was opened and on the 6th a true bill for high treason was returned against the men just mentioned.

The charge in the indictment was High Treason in compassing the death of the king and the specific acts cited for carrying out this design were nine in number, namely,- consenting and conspiring to procure a convention for traitorously subverting the legislature and government and deposing the King; (2) writing and publishing books and papers which contained incitements to the King's subjects

1. May 2: 304-305 *H. Trials 23: 1167.*
2. Adolphus 6: 44
3. Bright 1180



to send delegates to such a traitorous convention; (3) Consulting upon the assembling of such a convention and the manner, time and place of holding it and the means of inducing the King's subjects to send delegates thereto: (4) agreeing that Horne Tooke and others of the prisoners, Hardy not included, with three others not mentioned in the indictment should meet, confer and cooperate for assembling this convention; (5) ~~causing~~ <sup>conspiring</sup> and agreeing to a provision of arms, for forcibly opposing the King in the execution of the laws and for forcibly and traitorously subverting the Government and aiding to depose the King. The remaining four charges had no reference to a convention to affect the designs of the prisoners who were accused "of conspiring to levy war against the King within his realm, to subvert the legislature and government and depose the King; of preparing, composing, publishing and dispensing books and papers, containing incitements to the King's subjects to assist in such a subversion and deposition and instructions to them how, where and on what occasions the purposes mentioned might be effected, and lastly, providing and agreeing to provide arms, to levy war, insurrection and rebellion against the king within his realm.<sup>1</sup>

Finally on October 28th these trials which represent the culminating point in the conflict between Toryism and Radicalism in England began with Thomas Hardy

1. Lord Eldon 1: 241-2

at the bar as being the one against whom the Attorney General thought he could make the strongest case. But had the prisoners themselves had the choice of the one to be tried first they could<sup>not</sup> have ~~not~~ chosen better for Hardy was a man of upright life against whose personal character no ill could be spoken and had in his relation to the Corresponding Society been moderate and opposed to violent measures.<sup>1</sup> The Government realized the importance of securing a verdict against this man for success in the first case would mean little difficulty in obtaining decisions against the others.<sup>2</sup> So the number of Crown lawyers was such as had never before been employed against any person tried for High Treason.<sup>3</sup>

There were six beside ~~Secretary~~<sup>Sir</sup> John Scott afterward Lord Eldon, the Attorney-General, and Sir John Mitford the Solicitor General while the counsel for the prisoner consisted of the Hon. Thomas Erskine, Vicary, Gibbs and three assistants.

For months the societies had been carefully watched and all their proceedings reported by spies and now these persons appeared as witnesses against the prisoner. One woman even was summoned who never had seen Hardy but once and that occasion was planned for while he was imprisoned. Having been called, on what seemed to him a

1. Mem. of Thomas Hardy 33.
2. Mem. of Thomas Hardy 42.
3. Hardy's Mem. 43.

mere pretext, to the Governor's house he noticed that a woman came near and observed him very closely and learned a short time afterward through Miss Wardle, a sister of one of his fellow prisoners, that this woman was to testify in court that she had ridden from Nottingham to London in a coach with him about two years before this time and on that occasion he had said that he would no more mind cutting off the King's head than shaving himself. Being forewarned Hardy had no difficulty in procuring witnesses to prove that he was not <sup>out</sup> of London for a whole day either for a year before or after the time she was to swear to.<sup>1</sup>

This remarkable case the report of which occupies four octavo volumes of about three hundred and forty pages each, was opened by the Attorney General with a speech lasting nine hours. This he began by defining the position of the King and stating the law of treason. Then he proceeded to explain that a conspiracy to depose the King was in point of law an overt act of compassing his death; that a full and fair representation of the people meant the establishment of a commonwealth and just as deposing the King to supersede him by another was compassing his death so it was if he was to be superseded by a Republic. The convention which was contemplated was to claim civil and political authority thus deposing the King of his sovereign power~~x~~ and was treasonable whether it had sufficient force

1. Hardy's Mem. 43-46

to accomplish its object or not. It mattered not whether the first assembly assumed this power or whether it was to devise means for a convention to do so. Even if the King continued so in name and office yet with a different kind of legislature the conspiracy was still treasonable. From this point he passed to the charge that the affiliated societies were attempting to carry out the same principles used in France and that about the same time the constitution of 1791 was destroyed the societies in England had begun to plan for a Convention. As evidence of this <sup>he</sup> produced and read extracts from the books, papers and correspondence of the societies, seized at the time of Hardy's arrest.<sup>1</sup> He showed that Hardy was Secretary of the London Corresponding Society, whose object as expressed in its constitution, which it had received from Horne Tooke, was Parliamentary Reform. From this he passed to the correspondence of the Secretary with others of like character in England, Scotland and France, read extracts from Paine's works and gave the attitude of the societies toward him. The resolutions, addresses and letters sent to the Jacobin Club, the Legislative Assembly and the National Convention were read. The sending of the delegates, Frost and Barlow to France and the admission of St. Andr e, Barrere and Roland as honorary members of the Constitutional Society and the resolution for inserting the speeches of the last

1. Lord Eldon 1: 260-262

two in their books were detailed at length. Then the Scotch Convention with all that pertained to it from the certificates and instructions granted to the delegates to the addresses sent to Muir, Palmer, Gerrald and others after their conviction together with their replies were put before the jury and finally all the proceedings which looked toward the proposed Convention with its plans for subverting the Government and deposing the King.<sup>1</sup>

In the examination of the witnesses many things with which Hardy had no connection were introduced as evidence against him. One was a song beginning:

"Why should we vainly waste our prime,  
Repeating our oppressions?  
Come rouse to arms, 'tis now the time  
To punish past transgressions.  
Tis said that King's can do no wrong  
Their murderous deeds deny it;  
And since from us their power has sprung  
We have the right to try it"

And so on through a number of verses, Erskine very easily showed that this was sent to his client in a letter.<sup>2</sup>

A handbill found in the pocket of one of the company at Chalk Farm was certainly absurd for it read as follows:

"For the Benefit of John Bull  
At the Federation Theatre in Equality Square,  
On Thursday the 1st of April 4971  
Will be performed a new and entertaining farce called  
La Guillotine: or George's Head in a Basket.  
Dramatis Personae,  
Numpty the Third by Mr. Gwelp (Being the last  
time of his appearance in that character).

1. St. Trials 24: 24;-269

2. St. Trials 24: 761-762

Uncle Toby. Mr. Richmond etc.  
Tight roping dancing from the Lamp-post by  
Messrs. Canterbury, York, Durham, etc.  
In the course of the evening will be sung in full  
chorus "Ca Ira" and "Bob Shave Great George Our -! "  
The whole to conclude with a Grand Decapitation  
of Placemen, Pensioners, and German Leeches".<sup>1</sup>

Eskine boldly asserted that he would prove that  
this was the work of a spy and the cross examination re-  
vealed the fact that but few people had seen it and that  
it had no sanction from the society.<sup>1</sup>

Day by day the Court sat from eight o'clock until  
midnight and had all the evidence produced been true neither  
the prisoners nor the societies which they represented could  
have survived this minute examination of all they said,  
wrote or planned.<sup>2</sup> Finally November 1st, the fifth day of  
the trial the evidence for the prosecution being ended,  
Erskine, Hardy's able defender & who had throughout the case  
shown great skill in examining witnesses began the speech  
which Tooke said would last forever.<sup>3</sup> This address, last-  
ing seven hours, a time which was said to be very short to  
his hearers<sup>4</sup>, began by an analysis of the indictment. He  
argued that a design to be treasonable as compassing the  
King's death must be against the King's person; a design  
against his government, a plan for deposing his authority  
in particular points could not be called treason or an overt  
act from which treason could be inferred. There might be

1. St. Trials. 24: 681-683
2. Hammond; Chas. Jas. Fox. 118
3. Eldon 1: 262
4. Campbell's Lives 6:477



circumstances under which a conspiracy to depose the King would amount to satisfactory evidence of an intention to kill him but the jury must have it proved to them. The evidence given to substitute the charge, he said, was such as had never before been heard in any capital trial, evidence which had consumed four days in reading made up from unconnected writings of men unknown to one another and on an hundred different subjects. The question which remained for the jury was not whether they suspected the prisoner of being guilty or whether he might be, <sup>whether</sup> but he was probably guilty. Treason, he argued, must not be made out by construction, cumulation or analogy. Having cited legal authorities to prove that in order to constitute treason and intent against the King's natural life, must be proved he showed that Hardy was not guilty of such intent and was only trying to obtain reforms advocated by Pitt, Burke and Richmond a few years before. Further, in regard to the Convention which Hardy was accused of trying to assemble, nothing was said of the one held in Scotland or the part which the prisoner took in the proceedings there, but the overt act with which he was charged was a supposed conspiracy to hold a convention in England which was never held and all the matter presented to the jury was to be taken by them as evidence of the intention with which the Convention was to be held and judged as, to its purpose against the life of the King. If the principle on which



the prosecution was founded was true 40,000 persons were liable as sending delegates to this convention.<sup>1</sup>

Some expressions on the part of members he admitted were undoubtedly rash and inflammatory, but there was nothing in the whole taken together even if it were connected with the prisoner which showed an evil purpose on the part of the writer. The Societies had given to the public at the very beginning the object for which they were formed and had made no secret of their meetings. A thing which those engaged in a conspiracy would never have done. By reference to the journals of the Society he proved that the plans they had made were only to gain fair representation by legal means and that Paine in the preface of his work as well as others who were called Revolutionaries were opposed to force; that addresses to France were not sent after November '92, thus having ceased ~~the~~ before war was declared. It was true that some letters had been written by <sup>obscure</sup> absent men which were revolutionary in their tendencies but had never been answered, nor even laid before the Societies by their leaders. As to the weapons of which so much had been made Crown lawyers Erskine showed that some people who thought they were in danger of a mob as had Dr. Priestley been, and Walker of Manchester had provided themselves with arms for protection without any intention of using them contrary to the law. As to the

1. Eldon 1: 264

testimony and character of the witnesses he referred in particular to one Alexander who was so confused and disconcerted that in half an hour he could not tell clearly where he lived and why he had left his master. Another, Groves, an old Bailey Solicitor who had been employed as a spy testified that in the meeting at Chalk Farm where seven or eight thousand men had been present he had seen two or three with knives, a fact which did not appear to Erskine as extraordinary as most men carry a knife. Groves having asked these men where they bought them was referred to one, Green, who dealt in cutlery, and on going to buy was ordered to speak low, so he said, as Mrs. Green was an aristocrat; thus giving the impression that a plot was on foot.<sup>1</sup> Green, himself on being called to testify, thought he was a Crown witness, denied the words imputed to him, saying that he kept the knives on sale as any other dealer in London did and that he had sold but fourteen. The four in Hardy's possession at the time of his arrest had been sent him that he might select one and he had not had time to return the others.

Having disposed of the knives Erskine took up the question of the guns. An engraver had offered one to Hardy in payment for shoes but having no need of such a weapon he referred the man to Franklan who had publicly raised and drilled forty men, "The Loyal Lambeth Association".

1. St. Trials 24: 961

And this was what had been termed an armed conspiracy against the Government though the men had been collected by public advertisement.<sup>1</sup> Last of all reverting to the witnesses and their testimony was mentioned the spy who was professing to speak from notes had frequently looked at the ceiling and when asked by Erskine if he were speaking from notes replied, "Oh, No this is from recollection", then the counsel moved by such baseness exclaimed, "recollection mixing itself with notes in the case of High Treason,--- he did not even take down the words but the substance of them as he himself expressed it. Oh! excellent evidence the substance of words taken by a spy and supplied where defective by his memory."<sup>2</sup> But I must not call him a spy for it seems that he took them bona fide as a delegate and bona fide as an informer. What a happy combination of fidelity! Faithful to serve and faithful to betray. Correct the record for the benefit of the society and correct to dissolve and punish it."

During the last ten minutes of the speech while Erskine pleaded for justice so exhausted was he that his voice sank to a whisper but the stillness was so intense that he was heard throughout the court room<sup>and</sup> his words were not without effect.<sup>4</sup> Three more days the trial continued while Sir. Vicary Gibbs made an able address in

1. St. Trials 24: 961
2. St. Trials 24: 962-963
3. Campbell's Lives 6: 483

which he adopted and further emphasized the main points Erskine's argument, namely,- that to constitute Treason there must be intent against the natural life of the King, that the intended Convention had no treasonable object; and the absurdity of talking about a plot to overthrow the Government with three dozen pikes, sixty muskets and three or four French knives which had been provided for defence against mobs.<sup>1</sup> Lord Redesdale the Solicitor General followed and then came the summing up of the Chief Justice Eyre. Three hours the jury deliberated and then returned the verdict "Not Guilty". In the midst of general rejoicing Hardy was released and was taken to the home of his brother-in-law, for during his imprisonment his wife had died from the effects of fear and grief, and his home had been desolated by mobs.<sup>2</sup> Lord Eldon gives as the reason for the acquittal that the jury were fatigued and puzzled,<sup>3</sup> as well they might have been, but Adolphus says that in talking to one of the jury several years later, he said that if the evidence had been much stronger than it was he would have had difficulty in convicting men of a crime when it took the Attorney General nine hours to tell him what it was.<sup>4</sup>

The practice usual in such a case as this had

1. St. Trials 24: 1112-1166
2. Hardy's Mem. 54
3. Lord Eldon 1:285
4. Adolphus 6: 75n

been that where one of a number of person charged with High Treason was acquitted the others should be dismissed<sup>1</sup> so one wonders that the Government still persisted in its attempt to secure a conviction and next summoned John Horne Tooke to appear before the bar. The prisoner was a man of marked ability and culture and for some time had been living peaceably at his home<sup>in</sup> Wimbledon devoting his days to study. Discovering a short time before his arrest that a man who was frequently entertained at his home was a spy, He took great delight in praising the societies and under pledge of secrecy boasted of the plot on foot and how some of the army had already been won over and that he himself like Pompey of old had<sup>2</sup> to stamp his foot to raise legions of soldiers.<sup>2</sup> This man promptly reported to the ministers and shortly after Hardy's arrest a letter was intercepted which confirmed their fears. The avenues leading to his house were watched, and on the 16th of May he was arrested and imprisoned with the others.

In the trial which was begun November 17th and continued through the 22nd the tension was greatly relaxed as the defence knew that the prisoner's innocence could be easily proved. The indictment however being the same much of the previous argument had<sup>to</sup> been repeated before the new jury.<sup>3</sup>

1. Campbell's Lives 6:485
2. Stephen's Life of Horne Toake 2: 116-199
3. St. Trials 24: 1-747

Tooke assumed a prominent part in examining the witnesses and provoked considerable merriment by his sallies of wit.<sup>1</sup> When he first appeared and was asked how he would be tried, he replied, I would be tried by God and my country, but-! and by his expression indicated that he feared such would not be the case.<sup>2</sup> He proved that he was seldom present at the meetings of the Constitutional Society except on a few social occasions, that he often disapproved of the proceedings, that when papers were brought to him, which were designed for publications he changed them, suppressing anything which might be considered libelous and that he never corresponded<sup>with</sup> nor knew the country ones. Evidence being given to prove him a republican because he was a member of a society approving some of the proceedings of the National Assembly he replied by saying that if he<sup>had</sup> said there were some good things in the Koran he would have been charged with being a Mohammeden.<sup>3</sup>

At another time when the Attorney General repelled some insinuations against him for the manner in which he conducted the case, saying he could endure anything but an attack on his good name as it was the little patrimony he had to leave to his children and he wished to leave it unimpaired, and then shed tears which so effected the Solicitor General that he too wept in sympathy, Tooke exclaimed in a

1. Stephen's Life of H.T. 2: 148-149
22. Campbell's Lives 6:485-486
3. Campbell's Lives 6: 487



stage whisper to the jury, "Do you know what Sir John Milford is crying about?" He is thinking of <sup>the</sup> a destitute condition of Sir John Scott's children and the little patrimony they are likely to divide among them <sup>1</sup>. The case against Tooke rested more on this letter which had led directly to his arrest <sup>more</sup> than on any other piece of evidence. "Dear Citizens;- This morning at six o'clock Citizen Hardy was taken away <sup>by order</sup> from the Secretary of State's office: they seized everything they could lay hands on. Query, is it possible to get ready by Thursday?" Yours. J. Joyce. <sup>2</sup>

Erskine disposed of this letter by showing that Tooke had undertaken to collect from the Court Calendar a list of titles, offices and pensions that Pitt had given to his friends, relations and dependents and wishing to be correct had set no time for giving it in, hence the query of Joyce who wished to publish it. All other accusations against the prisoner were as easily disposed of and the judge had no sooner finished summing up this case, which is called the most extraordinary one in England under George III. than the jury returned the verdict, "Not Guilty", <sup>and</sup> Tooke broken in health by his long confinement returned to his home where he spent his declining years <sup>3</sup>.

1. Stephen's Life on Horne Tooke 2: 119
2. Campbell's Lives 6: 490-491
3. Stephen's Life 2: 150



One other trial was necessary before the Government was satisfied to give up the attempt and had they begun with Thelwall they would have been more likely to have met with success for he was more radical in his views and had taken a much more active part in the societies than either of the others. As a client he was somewhat troublesome and being at one time dissatisfied with the way in which his case was conducted wrote on a piece of paper "I will be hanged if I don't plead my own case", to which Erskine replied, "you will be hanged if you do."<sup>1</sup> The particular charge against him was that at the meeting at Chalk Farm he remarked as he blew off the head of a pot of porter, "This is the way I would have all Kings served." The words were reported by a spy and provoked Erskine's argument that allowance ought to be made for what men say in periods of excitement, that in an unguarded hour and under a strong sense of abuse or in resentment of public misconduct men often inveighed against a government to which they were firmly attached. He called on any one who was free from harsh or unkind expressions, was superior to passion and mistake to stand forth and claim the praise due to his character.<sup>2</sup> After an hour and three quarters deliberation by the jury Thelwall was acquitted, the other prisoners dismissed and the man who had so ably pleaded

1. Campbell's Lives 6: 493n

2. Campbell's Lives 6: 493-494

these cases was the hero of the day.

The effects of these trials was to show the people that an English jury would see justice done between the Crown and its subjects,<sup>1</sup> and that Pitt and his colleagues were mistaken in believing that the Societies consisted of men who hated monarchy.

The mistake of the Societies was in trying for universal suffrage at a time of so much excitement in France, of eulogizing the Revolutionists, associating with Paine and spreading his works<sup>2</sup>.

1. May 2 : 310-311

2. Gooch in Camb. Mod. Hist. 8: 761

## THE ACTS OF 1795/

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From the very fact that the trials had resulted so favorably for the Societies and had proved the ministers alarmists, the friends of freedom would not allow matters to rest while laws were still in force which hampered their liberties. The meetings of Parliament December 30th furnished the occasion for their next move which came about as follows:—

After the reading of the King's speech, instead of considering it at once the House of Commons, according to custom introduced a bill for preventing clandestine outlawries. This proceeding was considered as a mere matter of form and the bill negatived without discussion but Sheridan contrary to the usual method, yet with the sanction of the speaker, said that the House could not advise his majesty impartially unless they were themselves free, as they were not while the writ of Habeas Corpus remained suspended and so when the bill before the House had been negatived he intended to propose one for repealing the

Habeas Corpus Suspension Act.<sup>1</sup> His speech was made the occasion for several others in regard to the recent acquittals in which it was asserted that the verdict of the juries had shown that there was neither plot nor conspiracy<sup>2</sup>. After considerable talk, but without any motions being made the House listened to the address on the King's speech which was followed by a lengthy discussion on the War with France, the Jacobins and the recent trials.<sup>2</sup> Then Sheridan according to his notice rose and in a speech showing careful preparation brought in his bill for the repeal of Habeas Corpus Suspension. He again reverted to the trials saying that Hardy would have been convicted had the jury been convinced that a traitorous conspiracy existed, justified the proceedings of the societies by recalling many expressions of Lord Chatham, Burke, Fox and the Duke of Richmond, and condemned the ministry and the spy system.<sup>3</sup> Erskine also spoke well in favor of the repeal,<sup>4</sup> but the Government was not lacking in supporters and when the vote was taken Sheridan's motion was lost by 185 to 41.<sup>5</sup>

On the 15th of January the Attorney General asked leave to bring in a bill for continuing the Suspension of the Habeas Corpus Act and was met with little opposition.<sup>6</sup>

1. Parl. Hist. 31: 995
2. Parl. Hist. 31: 996-1005
3. Parl. Hist. 31: 1006-1060
4. Parl. Hist. 31: 1062-75
5. Parl. Hist. 31: 1080-98
6. Parl. Hist. 31: 1130

On the next day the bill was introduced and read the first time. January 23rd, on the second reading there was considerable debate, in which the bill was condemned as unnecessary and unconstitutional, the strongest speech of the opposition being Lambton's, in which he referred to the testimony in the trials and opposed the bill in particular<sup>as</sup> giving encouragement to spies.<sup>1</sup> On January 29th the bill finally passed the House,<sup>2</sup> and a few days later the Lords, without a great deal of protest. February 5th it became a law and was to continue, according to amendment<sup>3</sup> until July 1st, otherwise it would have expired on the last day of the session.

The Corresponding Society far from being crushed by the trials and Suspension Act, in the latter part of June held a meeting at St. George's Fields at which time biscuits were distributed bearing on one side the words, "Unanimity, firmness and spirit", and on the other, "Freedom and plenty, or slavery and want".

An address to the nation, demanding universal suffrage and annual parliaments as rights of the people, was voted, also one to the king in which the people claimed the right to instruct their sovereign in case his ministers did not tell him the truth. Earl Stanhope who was

1. Parl. Hist. 31: 1145
2. Parl. Hist. 31: 1193
3. Parl. Hist. 31: 1280

to present this second address being out of town, a committee of six carried it to the Secretary of State's office and added to the title of "Address by the London Corresponding Society convened at a general meeting" that it was approved by a thousand other inhabitants (of the metropolis) who were present.<sup>1</sup>

Votes of thanks were given to Stanhope, Sheridan, Erskine and Gibbs for their efforts in behalf of the Societies and individual members.

About a month later (July 23rd) occurred the only trial of importance in connection with the Societies during this year, that of Henry Redhead Yorke, in whose case the law of conspiracy was first applied to seditious offences.<sup>2</sup> The prisoner was a young man of twenty-two who had addressed a meeting at Sheffield the year before setting forth in strong language the necessity of Parliamentary reform. After the publication of his speech he was arrested, first on the charge of High Treason, which was afterward changed to a conspiracy to defame the House of Commons and excite a spirit of disaffection among the people. Justice Rooke, before whom the case was tried, admitted that his language would have been innocent at another time but was at this time dangerous to the public peace and so he was sentenced to a fine of £200 and two years in jail.<sup>3</sup>

1. Adolphus 6: 346-47

2. Hammond, Chas. Jas. quotes Sir. Jas. Fitz-James Stephens.

3. May 2: 313-14



The year 1795 was one of bad harvests and by October wheat had almost doubled in price from what it had in <sup>1</sup> February thereby causing great suffering. And the discontent which is usually manifested against the government in such a case was further increased by demagogues and by the activity of the Corresponding Society. Contrary to the advice of Place Chairman <sup>of</sup> the general committee the society held an immense mass meeting at Copenhagen House, October 26th, just three days before Parliament was to open. An address to the nation was followed by a remonstrance to the king urging Parliamentary reform, removal of ministers, and speedy peace but there was no disorder.<sup>2</sup> On the 29th as the king was going to Parliament he was surrounded by a crowd shouting "Peace", "No Pitt", "No War", "NO Famine" and worse still some kind of missile was hurled which broke a small hole in the glass of his carriage. On his return the violence increased and he might have been seriously injured had it not been for the timely arrival of some horse guards.<sup>3</sup> Although the Corresponding Society disclaimed all connection with this movement and others<sup>4</sup> agree that Jacobinism had nothing to do with the riot, yet it led a little later to two proclamations, (Oct. 31) one offering a reward of £1000 to any one who would give

1. St. Trials 25: 1003-1154.

2. May 2: 314-316

3. Adolphus 6: 349-50

4. Hammond 118.

information as to the authors and abettors of the outrage, and the other (Nov. 4) advertising to the recent meetings and calling on the magistrates to aid in preventing such meetings and in apprehending persons delivering inflammatory speeches or distributing seditious papers.<sup>1</sup> These proclamations being laid before both Houses Grenville on the 6th introduced in the House of Lords his Treasonable Practices Bill, which provided that "any person compassing or devising the death, bodily harm or restraint of the king, or his deposition, or levying war upon him in order to compel him to change his measures or counsels, or who should express such designs by any printing, writing or malicious speaking should suffer the penalties of High Treason. Any person who should in any way incite the people to hatred or contempt of his majesty or the established government and constitution of the realm would be liable to the penalties of high misdemeanor, and on second conviction to banishment and transportation". This Act was to remain in force during the life of the king and till the end of the next session after his death.<sup>2</sup>

At every step this bill was opposed by Lord Landerdale who objected that new crimes and new treasons were introduced into the criminal code; that no connection had

1. Parl. Hist. 32: 242-244

2. 26 Geo. III. c7

been proved between persons in the assemblies and those who attacked the king; that liberties and privileges of the subject would be abolished and that no public meeting could be held to petition for repeal of any law considered a grievance, and that a system of terror would be introduced.<sup>1</sup> He was supported in his opposition by the Duke of Bedford and Earl of Derby. The bill finally passed the Lords November 13th with only 5 dissenting votes<sup>2</sup> and December 10th, the Commons<sup>3</sup> by a large majority.

While the "Treason" bill as it was generally called was under discussion Pitt introduced in the Commons (Nov. 10, '95) a bill for preventing the seditious meetings.<sup>4</sup> This proposed that "no meeting of more than fifty persons should be held for considering petitions or addresses for alteration of matters in church or state, or discussing grievances without a previous notice to a magistrate who might attend and dismiss the meeting. It also provided that any room in which a debating society met must be licensed and could be closed at any time.<sup>5</sup> In spite of Fox's protest the Bill passed the Commons by a vote of 266 to 51, and the Lords December 14. by a vote of 107 to 18<sup>3</sup> and the act was to continue in force for three years.

The Corresponding Society in the meantime ad-

1. Parl. Hist. 32: 245-246
2. Parl. Hist. 32: 270
3. Parl. Hist. 32: 527
4. Parl. Hist. 32: 442-470
5. 38 Geo. III. c8

dressed a circular letter to all the patriotic societies in Great Britain, and published an address to the people denying the excesses of the populace which were charged to them and denouncing the ministers as seeking pretences for an invasion of their liberties.<sup>1</sup> The same day that Pitt introduced his bill in the Commons the Whig Club called a meeting at which fifty members were present including well known members from both houses. They agreed to exert themselves to oppose these measures and passed resolutions expressing their horror at the attack on the king, their readiness to give aid in discovering and punishing the offenders, for which they were convinced that the existing laws were sufficient, and their regret that the act had been used as a pretext for limiting freedom of the press and public discussion.

Many other meetings were held not only in London but also in Edinburgh, Glasgow and York. At the one held at Copenhagen House on November 12th at which it was estimated that 400,000 people were present a petition and remonstrance was addressed to the king and Parliament against the bills for overthrowing the House of Brunswick and establishing the despotism of the Stuarts.<sup>2</sup>

Over a similar meeting held at Palace Yard a day or two later Fox presided, and supported by many well known champions of the people, another address to the king and

1. Adolphus 6: 367

2. May 2: 324

remonstrance to the House of Commons against the bills was<sup>1</sup>  
drawn up.

One man alone, Major Cartwright, presented a petition, saying that it would be a disgrace to live under such laws. But the activity in this regard was not confined to the side of the Opposition for the Society of the Friends of the People, the Crown and Anchor Association,<sup>2</sup> and others sent in numerous addresses in favor of the bills. One cited in the "History of the Two Acts" showed the character of a petition from Portsmouth, which was signed by forty-seven persons every one of them being a contractor, revenue~~s~~ officers~~s~~, or a public official in the Government service.<sup>3</sup> In all 94 petitions with 131,284 signatures were sent in by the Opposition and 65 with 29,922 signatures by those upholding the Government.<sup>4</sup> No sooner had the bills passed, however, than the Whig Club met again (Dec. 19) and agreed to use all means in their power for getting the bills repealed.<sup>5</sup>

Previous to the introduction of the Treason and Sedition Bill, Reeves, Chairman of the "Society for protecting liberty and property against Republicans and Levellers", or better known as the "Crown and Anchor Association" had published (Oct. 26th) an essay entitled

1. May 2: 324
2. Adolphus 6: 371
3. Hammond 128
4. Adolphus 6: 372, quoted from Hist. of Two Acts 876
5. Adolphus 6: 380

"Thoughts on the English Government". On the 23rd of November, Sturt in presenting a petition to the Commons took occasion to read passages from this pamphlet and then moved for a prosecution of its author.<sup>1</sup> A lengthy debate then ensued in which the essay was analyzed in both Houses. The strongest passage was the one in which the writer compared the English Government to a tree, of which monarchy was the trunk and the Lords and Commons the leaves and branches. As these might be dropped off and the trunk continue, so the kingly government could continue without the Lords and Commons.<sup>2</sup> He also maintained that the Revolution of 1688 was a fraud and a farce and that all the people got from it was a Protestant king: that the dissenters were enemies of the government and ought to be exterminated; that the Whigs were imposters and had always been in the pay of the Court or in league with the democrats; that a constitutional lawyer was either a knave or a fool, and that the verdict of the jury was not the final decision and was entitled to little or no weight.<sup>3</sup>

As his arguments were contrary to the principles of the Constitution and there was so much demand for his prosecution by the champions of the people, Fox even declared the book was more dangerous than any publication of the Corresponding and Constitutional Societies, Reeves was

1. Parl. Hist. 32: 609
2. Parl. Hist. 32: 683
3. Parl. Hist. 32: 628 Sheridan's Summary.



brought to trial before a special jury. No witnesses were necessary as he admitted the work and the jury, after considering the contents, declared the essay an improper publication and acquitted the defendant.<sup>2</sup>

In 1796 the Corresponding Society made a few attempts to evade the laws of '95 by sending delegates to address small meetings, but the speakers were arrested and the meetings dispersed, the laws thus serving their intended purpose of putting an end to all public discussion for even to hint that a large manufacturing town had as good a right to representation as a decayed borough was to render one's self liable to prosecution.

They also has a second effect which the Government either had not foreseen or else had disregarded and that was that the Associations would carry on their affairs in secret and thus might degenerate into conspiracies for accomplishing their ends. Fox, however, realized this evil and May 14th 1797, when he made a motion to repeal the Acts, remarked that "opinions were innocent and harmless when they were open, and became dangerous to a state only when persecution made it necessary for people to communicate them under the bond of secrecy."<sup>2</sup> He found only 52 supporters against 260<sup>3</sup> and so the bills continued in force and liberty of speech continued to be suppressed.

1. Adolphus 6: 383
2. Parl. Hist. 33: 620-621
3. Parl. Hist. 33: 639

## CHAPTER VI.

### REPRESSIVE MEASURES COMPLETED.

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From time to time beginning with 1789 laws had been passed for regulating newspapers, increasing stamp and advertising duties, providing against unstamped publications and taking securities to ensure the responsibility of printers, their object being to put the press under control and keep political papers from the lower classes.<sup>1</sup> Early in 1798 the Morning Chronicle which was the leading paper of the Opposition published a paragraph which was considered a libel on the House of Lords and though the proprietors said that it had been inserted without their knowledge they were sentenced to pay £500 each and be imprisoned for three months in Newgate. Some of the Lords thought the punishment moderate, others considered it excessive, while the Marquis of Lansdowne considered the matter unworthy of notice. The full punishment was decided upon when a division was taken. This action was followed by another bill for regulating the printing and publication of newspapers by persons not known.<sup>2</sup>

1. May 2 327, also 29. Geo. III. c50: 34 Geo. III. c72
2. Parl. Hist. 33: 1418

The year before this the second part of Paine's "Age of Reason " had appeared and was widely circulated. But as a result of a recent proclamation of the king a "Society for the Suppression of Vice and Immortality" had been formed which instituted proceedings against Thomas Williams, who had been selling the publication. Erskine conducted the prosecution with his usual skill ending with a speech on the truth of christianity. The defendant was pronounced guilty and committed to jail for one year and required to give surety for good behavior for the remainder of his life.<sup>1</sup> One other prosecution will be sufficient to show the severity of the government in its repression of freedom of the press. The ruler of Russia, Tsar Paul had issued an edict prohibiting the exportation of timber, deals and other naval stores whereby English commerce was greatly hindered. Several papers had commented on this, but when the Courier, an organ of the Opposition, said: "The Emperor of Russia is rendering himself obnoxious to his subjects by various acts of tyranny and ridiculous in the eyes of Europe by his inconsistency; he has now passed an edict prohibiting the exportation of timber, deals etc. In consequence of this ill-timed law upward of 100 sail of vessels are likely to return to this kingdom without freights". For this statement criminal information was filed against the proprietor,

1. Campbell's Liver 6: 309-11  
St. Trials 26: 653-720

printer and publisher by the Attorney General, and though Erskine justified the man as stating only what was a fact without any intention of defaming a foreign government, yet Lord Kenyon declared it a gross libel and the defendants<sup>1</sup> were sentenced to fine and imprisonment.

The Corresponding Societies made a few attempts in 1797-98 to hold meetings but the gatherings were dispersed by order of the magistrates, the papers seized and the leaders imprisoned a short time.<sup>2</sup>

Although in England for two years there was little outward activity on account of the Treason and Sedition laws yet it was said that the secret societies in correspondence with the Society of United Irishmen encouraged that country in its rebellion<sup>3</sup> and continued to urge France to take an active part in Ireland's behalf although their first expedition to Bantry Bay in 1796 had proved a failure. Informers were not lacking to keep the ministry in close touch with every movement and so when in April of '98 news reached the king that the enemy were gathering troops and collecting supplies across the Channel for an attack on England he laid before Parliament a special message warning the members against invasion and adding that "the enemy was encouraged in this design by the correspondence and com-

1. St. Trials 27: 627-642

Campbell's Lives 6: 516-17

2. Adolphus 6: 693 Quoted from Ann. Reg. 40: 40

3. May 2: 28-29

munication of traitorous and disaffected persons and societies within the kingdom. He promised to use every measure provided by Parliament and recommended <sup>rather</sup> for the measures to defeat the machinations of disaffected persons within the realm.<sup>1</sup>

In the debate which followed in the Commons on the address to be presented to the king assuring him that the House would at once consider the subjects mentioned in his speech, Sheridan spoke earnestly urging harmony and promising his support to defeat the impending dangers.<sup>2</sup> In the meantime the Lords had passed, and now laid before the Commons a bill "empowering his majesty to secure and detain such persons as he shall suspect are conspiring against his person and government" Sheridan, on the motion that it be <sup>read</sup> received the first time, said that proofs were not sufficiently strong to warrant this measure, that there was not now so plausible a ground for suspending the Habeas Corpus as when it was last suspended; that throughout the country there was a general spirit of loyalty and that the minister's word was the only proof that persons were corresponding with the French and inviting them to England.<sup>3</sup> As passed by the Lords the bill was to expire February 1, 1799. When Sheridan found that the measure was favorably received by the Commons and would certainly be passed he

1. Parl. Hist. 33: 1421-22
2. Parl. Hist. 33: 1424-27
3. Parl. Hist. 33: 1429-30

tried to limit it to November 1st. or ten days after the commencement of the next session, but was outvoted 113 to 14 and the bill was passed becoming a law April 22, 1798.<sup>1</sup>

After Napoleon sailed for Egypt and news came of Nelson's victory in the Battle of the Nile England's fears subsided especially as the Irish rebellion had also been quelled in the summer. Under these circumstances it would seem that the Habeas Corpus Suspension Act might at least be allowed to expire on February 1st of the following year, but the ministers were determined to continue in their course until Jacobinism had been completely destroyed and so once more (Dec. 1 ) a bill was laid before the House to continue the Suspension until May 21st. Courtenay and Tierney both attacked the bill, the former setting forth very vividly the conditions existing in the prisons where political offenders had been lodged during the past year<sup>2</sup> and detained for months without being brought to trial, the latter stating that as there was no longer the fear of invasion as in the preceding year and that the 70 or 80 prisoners who had been arrested in consequence had been discharged he thought it no longer necessary. The ministry were supported however and the bill passed the House December 26th<sup>3</sup>, and the Lords, on January 4, 1799 with only one dissenting vote.<sup>4</sup>

1. Parl. Hist. 33: 1433  
2. Parl. Hist. 34: 111-120

3. Parl. Hist. 34: 131  
4. Parl. Hist. 34: 178



Again as in a previous year papers had been seized and laid before the House of Commons and a secret committee was appointed to report on them, which they did March 15. Papers and extracts were read to prove that France in connection with domestic traitors had planned to overturn the laws, constitution and government and every existing establishment, civil and ecclesiastical in Great Britain and Ireland and dissolve the connection between the two kingdoms. While these schemes had failed through the loyalty of the English nation yet the societies persisted in their efforts to extend their correspondence to every part of England, Ireland and France and to institute new societies on the same plan and with the same object as those in Ireland.

They gave the details of the Society of United Irishmen and the different societies in Great Britain, reviewed once more the attempts to assemble a national convention, the proceedings of 1794, the effect of the treason and sedition acts, the mutiny the fleet and the attempts to reduce the military which were charged to the Societies. The report gave other facts in regard to the United Societies and their plans for subverting the government<sup>1</sup>, according to which, early in '98 conspirators in Ireland planned to land on the English coast, cooperate with the London Society in an insurrection in London so that when the rebellion

1. Parl. Hist. 34: 576-656

broke out in Ireland the military force might be kept busy and thus prevent troops being sent to that country. This plan also failed, said the report, through the fears of the Corresponding Societies.

Believing that other schemes were being made in France, Holland and Ireland, as a result of this report, a proclamation was issued ordering that no person coming from Ireland except those actually employed in public service should land without a passport signed by the Lord Lieutenant, his secretary, the mayor of some city or town, or a general officer commanding in the country.<sup>1</sup> The king's message also informed the House that some persons held in custody in Dublin and Belfast for Treasonable Practices were to be brought over and confined in St. George.

It seemed to Pitt that the report showed sufficient proof for the motion which he introduced in April 1799, namely, "that whoever should continue after a day to be named, to be a member of the London Corresponding Society, the United Englishmen, or United Irishmen should be subject to a penalty to be recovered before a magistrate or if prosecuted in a court of record to be punished according to the circumstances of the case by fine, imprisonment or transportation at the discretion of the judges". This was also to apply to all other societies whose members were required to take any oath not required by law or which had members

or committees not known to society at large and not entered in their books or, which were composed of distinct divisions or branches. It further provided that debating clubs and reading rooms not licensed were to be treated as disorderly houses; that printing presses and type foundries were to be registered; that printers must put their names in every book and register the names of their employers, and lastly, imposed restraints on lending books and newspapers for hire.<sup>1</sup>

As to the penalties mentioned, the offenders could be proceeded against by information before justices of the peace and fined £20 or imprisoned three months, or by indictment, and transported for seven years and imprisoned for two years. Those who permitted meetings of any of these societies to be held in their houses were for the first offence to forfeit £5 and on conviction for a subsequent act to be deemed guilty of an unlawful combination and suffer the same penalties as the offenders previously mentioned, and if licensed to sell spirituous liquors their license was to be forfeited.<sup>2</sup>

Little resistance was offered to this measure for the opposition had lost all hope after having failed so many times to prevent the passage of acts restraining the liberties of the people and so finally the repressive measures were completed.

1. 39 Geo. III. c79

2. 39 Geo. III. c79

## CONCLUSION

The movement discussed in this paper was inspired, as we have seen, by Dr. Price's sermon, which in turn was the result of the working out of republican principles in France. In its conception the object of the societies was to carry out the ideas of the reformers of 1780 and to this purpose they adhered until repressive measures compelled them to work in secret. The struggle which took place between the Government and the organizations has been well characterized as being one between those "who lived on the Constitution and those who lived under it". Although there were many intelligent men of the middle class connected with these bodies yet, taken as a whole, they were composed of those with whom the Government had no sympathy and whose agitation for Parliamentary reform was looked upon as a gigantic conspiracy against the states. This idea was fostered by the circulation of stories of secret rebellion concealed under the guise of a reform movement and spies, and informers were not lacking to confirm this story by reporting words, which taken out of their connection, tended but to strengthen the fears aroused. In 1794 after the Government had attempted by proclamations and the infamous

trials in Scotland beside others in England to impose silence upon the reformers, they finally seized the papers of the society and being anxious to prove that a conspiracy existed selected their committee with care. No friend of the people was found among the number but men whose names have already become familiar to us in connection with arbitrary measures: Pitt, the head of the ministry; Dundas, instrumental in securing the prosecutions in Scotland; Windham, Attorney General; Grenville, originator of the Alien and Treason Bills; Burke, who was tenacious of all the rights of monarchy; and others not so well known, but faithful followers of these greater lights. Bringing as they did minds already prejudiced to the investigation, the report was soon made that what they feared was true, evidences of a conspiracy was found. The leaders of the societies were seized, after some months brought to trial and triumphantly acquitted because proofs were lacking to establish their guilt. Yet the Government in <sup>its</sup> the humiliation and defeat became more determined to crush the movement and during the next five years passed Act after Act against the societies. In order to do this stories of secret rebellion and aid given to the French and Irish were circulated. But for these fabrications we fail to find any direct proof, and have in refutation a statement on good authority that when a French agent visited England in 1793

to see what the prospect was of getting aid for invasion, he met with little response.

Also another statement that in 1801 the remnant of the Corresponding Society, which was forcibly suppressed, during the year, was even then after all that it had endured, considering the advisability of offering its support against the proposed invasion.<sup>2</sup> But what of the Opposition, in the House led by Fox, Sheridan and Gray, and in the Lords by Lansdowne, Landerdale, Stanhope and Bedford? When one considers how small the minority vote was on the more important measures he surely must acknowledge that the men acted from principle; that Liberalism meant a great deal to them and that rather than sacrifice their belief they were willing to endure loss of friendship and prestige. Through all the excitement caused by the events in France and the discontent in England they never lost their faith in the loyalty of the people to their country and constitution, and saw in the mass meetings and conventions nothing more than an effort to convince the Government that the good of the nation was dependent on Parliamentary reform. But on the other hand is there no justification for the action of the ministry, and was it merely hatred of democracy which actuated them? Perhaps to a considerable degree the latter was true and that not alone because the

1. Hammond 110 quoted from Lecky's Ireland 111. 233  
2. Hammond 110



reform movement if carried would result in personal loss to themselves, but because they saw the excesses which had followed the promulgation of republican doctrines in France and not realizing the difference between the tempers and conditions of the people of the two countries they feared a like result in England. Again the time for the change seemed to them inopportune when the nation was in the midst of war and peace at home was necessary to insure success abroad. Nor would we justify all the measures of the reformers. The sending of delegates to the National Convention and the enthusiastic addresses together with the writings of such <sup>a</sup> man as Thomas Paine could hardly fail to arouse apprehensions, unless one considers that in the beginning all movements are more radical and apt to be attended by excesses than after the wise and careful consideration has shown the best method of procedure. The fact that the men who were prominent in the Societies prior to 1795 are not mentioned in connection with them after that time would seem to prove that they realized the futility of any further efforts and rather than work in secret as they would have been compelled to do, retired and left others to carry out the movements which they had started?

Therefore in view of all the evidence produced by both sides we reach the conclusion that measures were carried too far by the Government and by the Societies, the one being

so arbitrary that it provoked the other to demonstrations and meetings which would not otherwise have been held. Moderate concessions on the part of the first in the early years of the movement would doubtless have prevented all those years of friction and made loyal adherents of those who, if reports are true, were later engaged in conspiracies.

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